



1 APPEARANCES: (Cont'd.)

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MS. REBECCA A. GRAHAM  
3 115 South LaSalle Street  
Suite 2600  
4 Chicago, Illinois 60603  
appeared for Respondent.

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SULLIVAN REPORTING COMPANY, by  
18 Teresann B. Giorgi, CSR  
084-000977

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1		<u>I</u> <u>N</u> <u>D</u> <u>E</u> <u>X</u>				
2			Re.	By		
3	<u>WITNESS</u>	<u>Nar.</u>	<u>Dir.</u>	<u>Crx.</u>	<u>dir.</u>	<u>Examiner</u>
4	NONE					
5						
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9		<u>E</u> <u>X</u> <u>H</u> <u>I</u> <u>B</u> <u>I</u> <u>T</u> <u>S</u>				
10	<u>APPLICANT'S</u>	<u>FOR IDENTIFICATION</u>			<u>IN EVIDENCE</u>	
11	NONE					
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1 JUDGE DOLAN: By the direction and authority of  
2 the Illinois Commerce Commission, I call Docket  
3 No. 15-0533, Sanctuary of Faith in care of Francine  
4 Anderson versus Commonwealth Edison Company, a  
5 complaint as to insufficient refund amount in  
6 Chicago, Illinois, to order.

7 Would the parties please identify  
8 themselves for the record.

9 Just give your name and address and  
10 all your information, please.

11 MS. ANDERSON: Francine Anderson, secretary for  
12 the Sanctuary of Faith Church of God in Christ. Our  
13 address is 3612 West Chicago Avenue, Chicago,  
14 Illinois.

15 JUDGE DOLAN: Go ahead, give your ZIP Code.

16 MS. ANDERSON: 60651.

17 JUDGE DOLAN: And then a phone number, please.

18 MS. ANDERSON: A phone number where I can be  
19 reached, 630-215-7551.

20 MS. GRAHAM: On behalf of Commonwealth Edison  
21 Company, Rebecca Graham, 115 South LaSalle Street,  
22 Suite 2600, Chicago, Illinois 60603. My telephone

1 number is 312-505-8154.

2 JUDGE DOLAN: Let the record reflect there are  
3 no additional appearances.

4 Well, Ms. --

5 MS. ANDERSON: What do you mean by -- excuse me.

6 Sir, what do you mean be additional  
7 appearances? You said there's additional  
8 appearances.

9 JUDGE DOLAN: That's just for the record that  
10 nobody else is here in the room, no other attorneys,  
11 no other --

12 MS. ANDERSON: Okay.

13 JUDGE DOLAN: -- parties. It's just us.

14 MS. ANDERSON: Okay.

15 JUDGE DOLAN: Okay.

16 MS. ANDERSON: Because I -- if necessary, I  
17 would have brought an attorney. But they made it  
18 seem like it was so simple to do. So, that's why I  
19 didn't bring one. I do have an attorney that I do  
20 work with.

21 JUDGE DOLAN: Okay. Well, if you are planning  
22 on pursuing this claim and going to hearing, you

1 will need an attorney --

2 MS. ANDERSON: Okay.

3 JUDGE DOLAN: -- because --

4 MS. ANDERSON: If I want to continue to do

5 what now?

6 JUDGE DOLAN: If you want to continue this

7 complaint and proceed to a hearing, an evidentiary

8 hearing, you will need an attorney.

9 MS. ANDERSON: If I want an evidentiary hearing?

10 JUDGE DOLAN: Exactly, yes.

11 MS. ANDERSON: So, this hearing is what now?

12 JUDGE DOLAN: This is a status.

13 MS. ANDERSON: This is a status hearing.

14 JUDGE DOLAN: Yes. Yes.

15 MS. GRAHAM: Judge, I think it's ComEd's

16 position that we would like, possibly, 30 days

17 to file a motion to dismiss based on the 2-year

18 statute. And since this is a -- I'm guessing, a

19 non-profit corporation, we would suggest that

20 Ms. Anderson get an attorney to respond to that

21 motion.

22 MS. ANDERSON: Well, we can do that.

1                   However, let the record reflect, I'm  
2 very disappointed in how ComEd has handled this.  
3 We've allowed ComEd on our properties to read meters  
4 for 10 years. 10 years they've been on our  
5 properties reading meters, how did they not know  
6 this meter was not on the property?

7                   Do you have evidence as to who was  
8 reading the meter for this account? And first of  
9 all I ask, who set the account up? ComEd had no  
10 record. I asked, Who's the contact person? ComEd  
11 had no record.

12       MS. GRAHAM: Well, I'm only involved once your  
13 complaint goes formal --

14       MS. ANDERSON: Okay.

15       MS. GRAHAM: -- so, if there's any information  
16 that you want, we ask that you put it in writing --

17       MS. ANDERSON: We will.

18       MS. GRAHAM: -- and I can respond accordingly.

19       MS. ANDERSON: I'm just -- I'm just -- making  
20 note for the record. 10 years, up until the time  
21 smart meters were put on our property, ComEd was on  
22 our property allegedly reading meters.

1 MS. GRAHAM: Well, as we've stated before --

2 MS. ANDERSON: So, I would like to know who read

3 the meter that's in question.

4 MS. GRAHAM: If you have that --

5 MS. ANDERSON: I'm just putting this for the

6 record, Baby.

7 I want to know, who read the meter

8 that's in question? How was it determined what we

9 owed -- if the meter is not on our building -- the

10 amount ComEd -- I took off jobs every month to let

11 ComEd on that property to read it.

12 JUDGE DOLAN: Okay. Before you go any further

13 with this --

14 MS. ANDERSON: Those are the questions I'll be

15 asking.

16 JUDGE DOLAN: Please. Please.

17 The court reporter can only take one

18 person's voice down at a time. So, we can't talk

19 over each other --

20 MS. ANDERSON: Sir, I understand about

21 communication. I do. Okay?

22 JUDGE DOLAN: Well, you're, obviously, not



1 listening to me because you're talking over me  
2 again. So, --

3 MS. ANDERSON: No, I'm listening. I'm --

4 JUDGE DOLAN: Please, for the record, please  
5 state -- since you want to have a full record here,  
6 please go ahead and state what your claim is against  
7 Commonwealth Edison.

8 MS. ANDERSON: You're asking me to do that?

9 JUDGE DOLAN: Yes.

10 MS. ANDERSON: Okay. I allowed ComEd -- my  
11 claim is that no one has been derelict in their  
12 duties. I allowed ComEd to come on that property up  
13 until smart meters were put on that property.

14 Who -- I want to know -- a Mr. Fred  
15 Thornton from ComEd -- and the only way this was  
16 discovered that this meter -- honestly we paid ComEd  
17 faithfully. This was all discovered on June  
18 the 24th. And the only reason it was discovered is  
19 because ComEd had made another error, turned off one  
20 of our meters at their own discretion, caused my  
21 tenant to be inconvenienced, my disabled tenant, to  
22 be without electricity from Wednesday through

1 Monday.

2                   Because of this fiasco, ComEd calls --  
3 they came on the property to find out what was going  
4 on. It was discovered they turned off a meter. And  
5 I asked who turned off the meter -- who gave them  
6 permission to turn off a meter? They just turned it  
7 off at their own discretion, no, not for nonpayment,  
8 not for anything, they just decided to turn it off.  
9 I'm like, Where did that come from?

10                   And, so, upon your technician coming  
11 on our property to review all their meters, which  
12 ComEd says they have, by law, the right to come and  
13 check their meters, they came on our property to  
14 look at their meters. And the technician found out  
15 that the bill that we've been paying -- the meter  
16 for the bill that I've been paying for 10 years was  
17 not on our building.

18                   So, I called Fred -- spoke to Fred  
19 Thornton. He told me that that meter was  
20 established on 12-27-05. We've been out of that  
21 lower level of that building since November 29,  
22 '05 -- around November 20- -- we had a fire in the

1 building.

2 JUDGE DOLAN: Okay. Rather than going through  
3 all your allegations, I just wanted to generally  
4 know -- so, basically, what your allegation is is  
5 that you expect refunds for 10 years as opposed to  
6 the 2 years that ComEd --

7 MS. ANDERSON: And I want punitive damages, too.

8 JUDGE DOLAN: Okay.

9 MS. ANDERSON: Because ComEd definitely is  
10 derelict in doing this, if I'm allowing them to come  
11 on that building --

12 JUDGE DOLAN: You know, ma'am, just to let you  
13 know --

14 MS. ANDERSON: -- to read a meter --

15 JUDGE DOLAN: -- ComEd has the right under an  
16 easement to come on your property.

17 MS. ANDERSON: I understand.

18 JUDGE DOLAN: And if you don't let them on your  
19 property, they can discontinue service.

20 MS. ANDERSON: But there was no service to  
21 discontinue because --

22 JUDGE DOLAN: Well, I'm telling you --

1 MS. ANDERSON: Oh, sir, I understand. I own  
2 property.

3 JUDGE DOLAN: Okay.

4 MS. ANDERSON: I own --

5 JUDGE DOLAN: But when you keep saying that you  
6 allow them on your property, they have a right to  
7 come on --

8 MS. ANDERSON: I understand all --

9 JUDGE DOLAN: -- your property.

10 MS. ANDERSON: -- of that, sir.

11 JUDGE DOLAN: Okay.

12 MS. ANDERSON: I worked for the State of  
13 Illinois for 30 years and I am the one that  
14 implemented regulations and rules. So, I understand  
15 about rules and regulations for the State.

16 JUDGE DOLAN: I understand.

17 MS. ANDERSON: I am a retired 30-year State  
18 employee. Worked right across the street.

19 JUDGE DOLAN: Okay.

20 MS. ANDERSON: Okay? So, I understand all about  
21 rules and regs. I'm the one who implemented. I'm  
22 the one who helped create rules for people like

1 ComEd.

2 JUDGE DOLAN: Okay.

3 MS. ANDERSON: So, I understand about rules and  
4 regs. And I understand about administrative  
5 hearings. Okay? I know my rights. And I know what  
6 ComEd has bamboozled our lawmakers to put a 2-year  
7 limitation on this mess.

8 JUDGE DOLAN: Okay. All right. With that, why  
9 don't we just -- if ComEd wants to file a motion to  
10 dismiss, I'll give them 30 days to file a response  
11 and then I will give you 14 days to file a response.

12 MS. ANDERSON: May I have 30 days also to file a  
13 response.

14 JUDGE DOLAN: No. No, you can have 14 days.

15 MS. ANDERSON: And why not?

16 JUDGE DOLAN: Because that's the standard.

17 MS. ANDERSON: I understand it's the standard,  
18 but I need to talk with an attorney.

19 If you're giving ComEd 30 days, I  
20 would like 30 days to file a response.

21 JUDGE DOLAN: Okay. I'll give you 30 days.  
22 That's fine.

1                   So, the way I see it, today is the  
2 22nd --

3       MS. GRAHAM:   How about Monday, November 23rd?

4       JUDGE DOLAN:   Okay.   ComEd's will be due on the  
5 23rd of November.

6                   And then it would be December 23rd on  
7 your due date.

8       MS. ANDERSON:   That's around the holiday.

9                   Can you go in January, beyond there,  
10 because that's very inconvenient.   It's right around  
11 Christmas.

12       JUDGE DOLAN:   Well, that's why I was giving you  
13 14 days.

14       MS. ANDERSON:   Well, I would like more because I  
15 need to discuss all this with my attorney.

16       MS. GRAHAM:   Well, we can file our motion  
17 sooner.   We can make it due, say, November 13th --

18       MS. ANDERSON:   December is not a good date.

19       MS. GRAHAM:   Well, if we make it November 13th,  
20 then you can have 30 days --

21       MS. ANDERSON:   That would not be good for me  
22 because I'm out of town the second week in December

1 and next we'll be going into Christmas.

2 So, I would like January.

3 JUDGE DOLAN: All right.

4 MS. GRAHAM: Judge, as long as she has an  
5 attorney by that time, by the time she files a  
6 response, we have no objection to giving her more  
7 time.

8 JUDGE DOLAN: Okay.

9 MS. GRAHAM: But since that is practicing law,  
10 we would argue that she needs an attorney to file  
11 the response.

12 JUDGE DOLAN: Okay. All right. We can go into  
13 January then.

14 How about January 13th?

15 MS. ANDERSON: And are you saying -- Okay. I'm  
16 going to finish the date setting.

17 Go ahead. I have another question for  
18 you.

19 JUDGE DOLAN: Okay. And then any reply from  
20 ComEd would be due 7 days later.

21 MS. ANDERSON: So, can I get the dates again of  
22 what we're doing here.

1 JUDGE DOLAN: Well, ComEd is going to file their  
2 motion -- or answer or otherwise plead the motion to  
3 dismiss by November 23th. Your response is due  
4 January 13. And any reply to your response by  
5 Commonwealth Edison, will be due January 20.

6 MS. ANDERSON: Now -- are we finished?

7 JUDGE DOLAN: With the dates, yes.

8 MS. ANDERSON: Okay. So, you're saying again  
9 that beyond this hearing, there's nothing else that  
10 I can do to get compensation of punitive damages?

11 JUDGE DOLAN: No.

12 MS. ANDERSON: Okay.

13 JUDGE DOLAN: No, we're not authorized to give  
14 punitive damages. And, you know, you can talk with  
15 your attorney. But, I'm sure he will tell you if  
16 you go over to circuit court, the circuit court is  
17 going to say that the ICC has exclusive jurisdiction  
18 to hear these types of matters.

19 MS. ANDERSON: ICC has exclusive --

20 JUDGE DOLAN: -- jurisdiction --

21 MS. ANDERSON: -- to hear these types of  
22 matters?



1 JUDGE DOLAN: That's correct.

2 MS. ANDERSON: And, so, they would kick it back  
3 to you.

4 JUDGE DOLAN: They would dismiss your case over  
5 there.

6 MS. ANDERSON: And say the ICC -- so, therefore,  
7 it would be a legislative thing to change in order  
8 for ComEd to change their practice of handling  
9 customers like this.

10 JUDGE DOLAN: Yes, you'd have to change the law.  
11 Yes.

12 MS. ANDERSON: We need to change the law.

13 JUDGE DOLAN: All right. Just so I can keep  
14 track of this, I am going to set it for a status in  
15 February and I am going to set it for February 10th.

16 Does 11:00 a.m. work for the parties?

17 MS. ANDERSON: That's fine, sir.

18 JUDGE DOLAN: Okay.

19 MS. ANDERSON: A status hearing?

20 JUDGE DOLAN: Yes.

21 MS. ANDERSON: So, may I ask of you,  
22 Attorney Graham, do you know any time that ComEd

1 has given consideration other than 2 years?

2 MS. GRAHAM: That wouldn't be relevant to your  
3 case. I couldn't answer that anyway. But --

4 MS. ANDERSON: Okay. Well --

5 MS. GRAHAM: -- it's not relevant to your case.

6 MS. ANDERSON: Well, I would like to know if  
7 ComEd has ever given anyone consideration beyond the  
8 2 years that they have statutory responsibility  
9 because it's just inhumane to do that when you know  
10 you've made an error.

11 MS. GRAHAM: Well, you can ask whatever you'd  
12 like to ask in your discovery.

13 MS. ANDERSON: Okay.

14 MS. GRAHAM: And it would be easier, honestly,  
15 if you would do your discovery through an attorney.

16 MS. ANDERSON: I sure --

17 MS. GRAHAM: But, you certainly have the right  
18 to send your questions, but we just ask that they be  
19 in writing.

20 MS. ANDERSON: Okay.

21 JUDGE DOLAN: And then you'll get a Company  
22 response as opposed to their attorney responding --

1 MS. ANDERSON: I see what you're saying.

2 JUDGE DOLAN: All right. With that I will -- is

3 there anything else to come before us today?

4 MS. GRAHAM: I have nothing further, Judge.

5 JUDGE DOLAN: How about you, Ms. Anderson?

6 MS. ANDERSON: No, sir.

7 JUDGE DOLAN: Okay. Then, we'll be entered and

8 continued to February 10th at 11:00 a.m.

9 MS. ANDERSON: Thank you, sir.

10 MS. GRAHAM: Thank you.

11 (Whereupon, the matter was

12 continued to February 10th,

13 2015, at 11:00 a.m.)

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